

**DISCLAIMER: Changes Related to Upgrade to CM/ECF V4.2:**

On January 1, 2012, we upgraded our CM/ECF system to V4.2. Subsequently, V4.2 was uploaded into our live database on January 17, 2012. Due to that upgrade, and the fact that updates to the training modules will not be able to be made until the Training Team has time to complete them, you may find that information in this document will not match what is being said or shown in the exercises. The most current and correct information can be found in this document. We will get the training modules updated just as soon as we can and will be posting it to our ECF Website.

## **Opening a New Adversary Case Electronically**

**Required:**

Complaint

Payment of the adversary filing fee (unless deferred or the fee is not required)

The Summons will be electronically issued (see section on Issuing the Summons below)

A Cover Sheet is not required when filing electronically. However, it may be helpful to you during the opening of your adversary to have a completed Cover Sheet in front of you.

**Opening the Adversary:**

Click on 'Adversary' from the blue ECF menu bar

Select 'Open a AP Case' from the list of adversary categories

Case Type will default to 'ap' and the Date filed to the current date

Complaint default's to 'y'. If the first document to be docketed is the Complaint, accept the default. If the first document to be docketed is a Notice of Removal, STOP FILING! A Notice of Removal MUST be paper filed.

Enter underlying case number when prompted, ensuring that the underlying case number on the complaint is correct.

Association type will default to 'Adversary'. Accept the default.

The judge will automatically default to the judge responsible for the underlying case. Accept the default judge by clicking 'Next'.

Search for and add the plaintiff(s):

- Enter Last/Business Name to search for the Plaintiff name in the ECF database
- IF the Plaintiff's name does appear in the list, select the name from the list and remove all address information at the next screen
- IF the Plaintiff's name does not appear in the list, click on 'Create new party' to add the Plaintiff. DO NOT add an address, e-mail address, alias or aka for the Plaintiff.
- The Plaintiff Information screen will appear.
- Any identifying role a party may be serving in the adversary proceeding should be added into party text (for example, James Smith, Chapter 7 Trustee; James Smith, Liquidating Trustee for the Estate of.... etc.
- Select the appropriate Role in Bankruptcy Case from the drop down menu
- BE SURE TO ADD YOURSELF AS ATTORNEY!!! If you do not do this, the attorney will not appear on the summons correctly.
  - Ensure that the Lead attorney designation remains at 'yes'.
- NEVER change or remove an e-mail address from an attorney address record (if a change needs to be made, file your case, then contact the ECF Help Desk for assistance in how to change your e-mail address).
- Click on 'Add attorney' to add yourself as attorney for the Plaintiff.
- Click 'Submit' to add the first Plaintiff. Continue the steps above until all Plaintiffs have been added, then click on 'End plaintiff selection'.

Search for and add the defendant(s) to the case, in the same way Plaintiffs were added, taking into consideration the following:

- Do not add an e-mail address, alias, dba, fka or social security number for the defendant.

- You may select a debtor defendant that is already in the system with social security number.
- Enter the address for the defendant if provided by the filing party in the initial documents that are filed. When adding an address into our system, DO NOT use the Office Field. The Office Field **MUST** remain blank.
- Select the appropriate Role in Bankruptcy Case from the drop down menu
- Click 'Submit' to add the first Defendant. Continue the steps above until all Defendants have been added, then click on 'End defendant selection'.

Party code defaults to '3 U.S. not a Party'. Change if necessary

Rule 23 (class action) defaults to 'n'. Change if necessary.

Jury demand defaults to 'None'. Change if necessary.

Enter Demand amount, to the nearest \$000. (Divide the Demand amount by 1,000 to determine the amount to enter. For example, a Demand amount of \$10,000 divided by 1,000 = 10. 10 is the amount that should be entered for the Demand amount at the SARD screen in this case.) Leave blank if there is no Demand amount given.

State Law defaults to 'n'. Change if necessary.

Select the correct Nature of Suit(s) from the pick list(s). If more than one Nature of Suit is indicated and one of them is a 727 Complaint, ensure that the Nature of Suit 41 is selected as the primary Nature of Suit.

Browse to the directory where your complaint is located, view it and bring it into the Browse field. If there are Attachments, click on 'Yes' to Attachments to Document and click 'Next'. Otherwise, simply click 'Next'.

Enter the correct Fee Value as reflected on the screen, depending on whether the fee is being paid now, is being deferred or is not required.

Click 'Next' until you arrive at the Docket Text: Final Text screen. Review docket text. If there are errors, click on 'Adversary' to start over. If you see no errors, click 'Next' to commit the transaction.

After acceptance of final docket text, be sure to complete payment of fees, if appropriate.

**Issuing the Summons:**

- Click on Adversary
- Click on Summons
- Enter Adversary Case Number and click Next
- Click on Summons Issued (auto) and click Next
- Select the Defendant(s) the summons will be issued on
- Read the docket text at the Docket Text: Modify as Appropriate. If there is a problem click on Adversary to start over. If there is no problem, click on Next.
- You have one more opportunity to ensure that everything is correct. If everything looks good, click 'Next' to commit the transaction.

Click on the hyperlink 'Summons Issued' to print the summons. If you see a problem with the printed summons, contact the ECF Help Desk for assistance before serving it. Once any problem has been fixed, you should be able to Click on the hyperlink 'Summons Issued' to print the summons. In most cases, you should not need to redocket the 'Summons Issued (auto)' event.

**When filing fees are to be Deferred, file the 'Request for Deferral of Filing Fee' next:**

- Click on Adversary
- Select 'Notices'
- Enter adversary case number and click 'Next'
- Select 'Request for Deferral of Filing Fee' from the list of notice events
- Select the Plaintiff(s) at the 'Select the Party' screen
- Create the association between yourself and the Plaintiff, if necessary, by clicking on the box
- Click 'Next' until you arrive at Docket Text: Final Text screen. Read the docket text. If there is a problem click on Adversary to start over. If there is no problem, click on Next.

Updated 2/22/2012

# New Adversary Proceedings Categories & Events

The following categories/events will come with your  
Attorney AP permissions:

1. Open an AP Case
2. Summons
3. Complaint
  - Amended Complaint
  - Counterclaim
  - Crossclaim
  - Third Party Complaint
4. Notices
  - Request for Deferral of Filing Fee

Updated 5/15/2007

## **Adversary HOMEWORK ASSIGNMENT (CBT):**

(Please use case number 02-90024 for the underlying case number.)

Please choose the assignment that represents the plaintiff you will most likely be filing on behalf of.

### **Trustee as Plaintiff:**

- 1) File a new adversary proceeding (Fee to be Deferred)
- 2) Issue the Summons
- 3) File the Request for Deferral of Fee

### **US Trustee as Plaintiff:**

- 1) File a new adversary proceeding (Fee not Required)
- 2) Issue the Summons

### **Other Plaintiffs:**

- 1) File a new adversary proceeding (Fee Paid at filing)
- 2) Pay the Fee

Card Name - VISA

Card Number - 4111111111111111 (4 + 15 ones)

Security Code - 999

Future Expiration Date

- 3) Issue the Summons

Refer to the Opening an Adversary Case procedure for detailed instructions. Once you have completed the homework, please e-mail us at [cobml\\_training@cob.uscourts.gov](mailto:cobml_training@cob.uscourts.gov).

## Training Database URL:

<https://ecf-train.cob.uscourts.gov>

Login: a + student's last name + last four digits of attorney bar id number (i.e. ahunter1234)

Password: User1!!!

This is the website, login and password you will access/use to complete your homework in our training database from your office. NOTE: You will be informed by the court when you have the necessary permissions to attempt your homework assignment.